REMARKS/ARGUMENTS

The Office Action dated October 28, 2009 has been carefully reviewed. Reconsideration of the objections and rejections contained therein is respectfully requested in view of the following remarks. Claims 1-24 are currently pending in the subject application and are presently under consideration. Claims 1, 10 and 22 are independent claims.

Reply to Examiner's Response to Arguments

Since the Examiner has maintained the prior rejections and has provided arguments in support of this position, Applicant will address the Examiner's response first.

1. Double Patenting Rejection.

Claims 10, 12-14 and 22 are rejected to under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of US 6,724,753. The Examiner did not accept the Terminal Disclaimer of 08/05/2009 because the attorney executing the document was not an attorney of record. By the present Amendment, a new Terminal Disclaimer has been submitted along with a new Power of Attorney to associate John J. Ketchum (Reg. No. 61,932) with customer number 23,696. Accordingly, Applicant respectfully requests that the Examiner withdraw the double patenting rejection.

2. The language "serial communications interfaces" does not suggest the use of more than one deskset.

The Examiner has indicated that the Lynch is directed to "mechanisms for serial communications interfaces" (Emphasis is Examiner's) which the Examiner alleges clearly suggests "more than one deskset" and that "it would not be possible to communication with only

one deskset connected to the system" (e.g., see Page 2 of the 10/28.2009 Office Action). This is incorrect for a number of reasons.

Firstly, FIG. 7 of Lynch clearly shows multiple serial ports (i.e., serial ports 302, 307, 319) with a single deskset 113 attached to the system. Not only is it possible for a single deskset to for Lynch's system to have a single deskset, but that is the only embodiment actually disclosed by Lynch.

Secondly, the Examiner's indication that "it would not be possible to communication with only one deskset connected to the system" is incorrect because the deskset 113 could be connected to some remote deskset through the telephone line. This does not require additional desksets to be included within the actual telephone apparatus shown in FIG. 7 of Lynch. The Examiner's confusion appears to be in that belief that the deskset 113 is used for internal communication with the host 100 or some other local desksets, whereas the clear inference from Lynch is that the deskset 113 is used to communicate with remote telephones via the telephone company over the ISDN line.

Accordingly, Lynch neither discloses nor suggests having a "plurality" of desksets attached to the telecommunications device shown in FIG. 7, which means that Lynch cannot be used to show a "telephone apparatus" including "a plurality of desksets" as recited in claim 1, for example.

3. The Examiner's indication that the Ethernet standard would provide more efficiency on a serial bus is unsupported and actually untrue within the framework of the environment of Lynch.

The Examiner's states that "a packet is merely a bundle of data to be transmitted including certain control information such as a header which in turn includes address of the

destination, address of originating device, and error checking information" (e.g., see Page 3 of the Office Action). This is an incorrect assertion with respect to Lynch, because Lynch's serial links do not exchange these types of packets. Serial communications transmit data more efficiently and **without** these headers. This is clearly shown in FIG. 9 of Lynch which is directed to serial transmissions, and Lynch states "[r]eferring first to FIG. 9, serial transmission of a Byte i, a last portion of a previous Byte i-1, and a first portion of a next Byte i+1 is illustrated", and further that "[a] byte is transmitted as one or more start bits followed by eight data bits, a parity bit, and one or more stop bits" (e.g., see Col.11, lines 55-64 of Lynch). Clearly, no destination or originating addresses are identified in the data exchange of FIG. 9.

The Examiner states that "Pisello et al. and Lynch et al. exchange information via packets therefore it would be more efficient to define the packets of Lynch et al. based upon known standard definition of a packet in the design of the system..." (e.g., See Page 3 of the Office Action). The Examiner's position appears to be that it is more efficient to take the serial data stream shown in FIG. 9 and add additional header information. This is clearly incorrect. Adding header information to a data stream that does not require header information, as in FIG. 9 of Lynch, clearly **reduces** efficiency because the data rate needs to decrease to accommodate the extra overhead.

Also, Applicant notes that 'packets' are not sent over the serial interface shown in Lynch. Packets are exchanged over the ISDN line, but that is not a serial connection.

The Examiner is invited to explain how the telephone apparatus shown in FIG. 7 of Lynch would be made more efficient by heading header information to its stream of serial data. If the Examiner cannot do so, the Examiner should admit that adding more overhead to a communication stream, by definition, reduces the efficiency of the communication.

Further, the Examiner's suggestion the Ethernet-protocol standard would be used in place of a serial interface because the Ethernet protocol is "well-known" is confusing given that the serial-interface is also well-known (*in fact, the serial-interface predates Ethernet protocols and could be argued to be even more well-known*), and no rationale is provided for substituting the serial-interface with an Ethernet interface. The Examiner's indication that more efficiency is provided with Ethernet "since the system uses standard and known method of interfacing with packets" appears to ignore the fact that serial interfaces used by Lynch are also well-known. How could the fact that Ethernet is well-known be relevant to substituting one well-known protocol for another well-known protocol?

In summation, if the Examiner truly believes that the serial ports 302, 317 and/or 319 would be permit more efficient communication between the host-computer 100 and deskset 113, Applicant does not believe that the Examiner's position has been properly articulated, as the obvious conclusion to reach would surely be adding extra information to a data flow that already appears to work would only decrease the efficiency of the data flow.

4. The fact that base stations are well-known is irrelevant because the Examiner is not reading the claimed "central station" on a base station, but rather upon the host computer.

Claim 23 recites "wherein the transceiver is configured to communicate with the central station over a wireless communications link". The Examiner indicates claim 23 is obvious because "examiner takes official notice that wireless communication link including a base station is well-known in the art" (e.g., see Page 9 of the Office Action). Respectfully, the Examiner's Official Notice is irrelevant to this claim. The Examiner reads the "central station" on the host-computer 100 in Lynch. The host computer 100 is a workstation computer; not a base station. Furthermore, the host computer 100 has a wired serial link to the telephone apparatus in FIG. 7

of Lynch. Thus, the fact that wireless base stations are well-known is irreverent to the claims given that Examiner's present interpretation of reading the "central station" on a workstation computer.

Claim 24 recites "wherein the central station corresponds to a base station within an access network that is configure to provide wireless communications services to each of the plurality of desksets through the transceiver". Again, the host computer 100 is clearly not a base station at an access network. Rather, the host computer 100 interfaces with a remote network essentially as a subscriber device. The fact that wireless base stations are well-known does not allow the Examiner to assert that any manner in which wireless base stations can be claimed is automatically obvious, especially when such an implication contradicts the Examiner's own interpretation of the claims.

SUMMARY

Since the Examiner has maintained his rejection of claims 1-9, 18-21 and 23-24 under 35 U.S.C. §103(a) as noted above, Applicant once again traverses these rejections. Applicant expressly maintains the reasons from the prior responses to clearly indicate on the record that Applicant has not conceded any of the previous positions relative to the maintained rejections. For brevity, Applicant expressly incorporates the prior arguments presented in the 8/5/2009 response without a literal rendition of those arguments in this response.

For at least the foregoing reasons and the reasons set forth in Applicant's response of 8/5/2009, it is respectfully submitted that claims 1, 10 and 22 are distinguishable over the applied art. The remaining dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite

additional subject matter, which is not suggested by the documents taken either alone or in combination.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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